



PATENT
ATTORNEY DOCKET NO.: 030793-052100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ronald W. MINK et al.

Application No.: 09/973,956

Filed: October 11, 2001

For: DEVICE FOR COLLECTION AND
ASSAY OF ORAL FLUIDS

Group Art Unit: 1723

Examiner: D. SORKIN

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CONSENT OF THE ASSIGNEE
IN SUPPORT OF THE LETTER RE CORRECTION OF INVENTORSHIP
UNDER 37 C.F.R. 1.48

OraSure Technologies, Inc. is the assignee of the entire right, title and interest by virtue of an assignment from the inventor(s) of the patent application identified above and the Certificate of Merger recorded in the United States Patent and Trademark Office at Reel 010174, Frame 0024 and Reel 012107, Frame 0817 respectively. OraSure Technologies, Inc. is also the Assignee of right in Application Serial No. 10/076,596 by virtue of Assignment from inventors to Epitope, Inc. recorded at Reel 010329, Frame 0635 and Certificate of Merger between Epitope, Inc. and OraSure Technologies, Inc. (copy attached).

Pursuant to the requirements of 37 C.F.R. 1.48(a)(5), the Assignee, OraSure Technologies, Inc. hereby consents to the addition of Mr. Robert C. Bohannon as a co-inventor of the above identified application. Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

February 19, 2004
Date

Jack E. Jerrett

Jack E. Jerrett
Signature

Senior Vice President and General Counsel
Title

Office of the Secretary of State

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"EPITOME, INC.", A OREGON CORPORATION,

WITH AND INTO "ORASURE TECHNOLOGIES, INC." UNDER THE NAME OF "ORASURE TECHNOLOGIES, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-NINTH DAY OF SEPTEMBER, A.D. 2000, AT 3:46 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



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Edward J. Freel, Secretary of State

AUTHENTICATION: 0708915

DATE: 09-29-00

**CERTIFICATE OF MERGER
of**

**Epitope, Inc.
into**

OraSure Technologies, Inc.

**(Pursuant to Section 253 of the General Corporation Law
of the State of Delaware)**

Pursuant to the provisions of the Delaware General Corporation Law, the undersigned corporation certifies as follows:

1. The constituent corporations to the merger are Epitope, Inc., an Oregon corporation, and OraSure Technologies, Inc., a Delaware corporation.
2. Epitope, Inc. and OraSure Technologies, Inc. have entered into an Agreement and Plan of Merger, dated as of May 6, 2000 (the "Merger Agreement"), which has been approved, adopted, certified, executed and acknowledged by Epitope, Inc. and OraSure Technologies, Inc. in accordance with Section 252(c) of the Delaware General Corporation Law.
3. The surviving corporation is OraSure Technologies, Inc.
4. The Certificate of Incorporation of OraSure Technologies, Inc., as amended, shall be the Certificate of Incorporation of the surviving corporation.
5. The executed Merger Agreement is on file at the office of the surviving corporation located at 8505 S.W. Creekside Place, Beaverton, Oregon 97008.
6. A copy of the Merger Agreement will be furnished by the surviving corporation, on request and without cost, to any stockholder of any constituent corporation.
7. The authorized capital stock of Epitope, Inc. consists of 30,000,000 shares of common stock, no par value per share and 1,000,000 shares of preferred stock, no par value per share.

IN WITNESS WHEREOF, this Certificate of Merger has been executed on behalf of the surviving corporation by its authorized officer as of September 29, 2000.

OraSure Technologies, Inc.,
a Delaware corporation

By: 

Name: Robert D. Thompson

Title: President and Chief Executive Officer

Attest:

Name:
Title:

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C. E. BERGERON
Chief Financial Officer

ARTICLES OF MERGER

OraSure Technologies, Inc., the surviving corporation in a merger effected pursuant to ORS 60.481-60.501, submits the following articles of merger for filing pursuant to ORS 60.494:

1. The names of the constituent corporations in the merger are Epitepe, Inc., an Oregon corporation (Oregon Registry No. 149679-13) and OraSure Technologies, Inc., a Delaware corporation.
2. The surviving corporation in the merger is OraSure Technologies, Inc.
3. A copy of the plan of merger is attached as Exhibit A.
4. The plan of merger was approved by the holders of common stock of OraSure Technologies, Inc. voting as a single voting group, such approval being the only shareholder approval required on the part of OraSure Technologies, Inc. At the date of the shareholder vote, there were 100 shares of common stock of OraSure Technologies, Inc. outstanding, all of which were entitled to be cast with respect to approval of the merger. One hundred shares were voted for the plan of merger and zero shares were voted against approval of the plan of merger.
5. The plan of merger was approved by the holders of common stock of Epitepe, Inc. voting as a single voting group, such approval being the only shareholder approval required on the part of Epitepe, Inc. At the date of the shareholder vote, there were 17,966,326 shares of common stock of Epitepe, Inc. outstanding, 16,778,938 shares of which were entitled to cast votes with respect to approval of the merger. 10,699,098 shares were voted for the plan of merger, 28,315 shares abstained and 65,347 shares were voted against the plan of merger.
6. The merger shall be effective at the date and time of filing of these articles of merger.

IN WITNESS WHEREOF, the undersigned constituent corporations have executed these articles of merger on the 29th day of September, 2000.

Epitepe, Inc.

OraSure Technologies, Inc.

By: 

Name: Robert D. Thompson
Title: President and Chief Executive Officer

By: 

Name: Robert D. Thompson
Title: Chief Executive Officer

Person to contact about this filing: Name: Erich Merrill
Telephone: (503) 205-2504